


With regard to the claims, original claims 1-11 have been hereby replaced with new claims 1-51. Applicant submits that currently pending claims 1-51 essentially parallel a restriction group identified in the parent application. More specifically, in the Restriction Requirement from the parent application, mailed March 28, 2001 (Paper No. 23), there were two distinct inventions noted, one of which was identified as Group II (claims 48-53 of USAN 09/151,409) drawn to a method for vaccinating a host against group A streptococcal infections by administering a recombinant fusion polypeptide and compositions thereof. Accordingly, all of the currently pending claims in the instant application are part of restriction Group II of the parent application. No new matter has been added with any of the above-noted amendments. Therefore, claims 1 to 51 are currently pending.

In view of the state of the art at the time of filing of the priority application and as disclosed in the specification and recited in claims 1-51, the present application complies with the requirements of 35 U.S.C. §112. The present application teaches a person of ordinary skill in the art methods for eliciting an immune response against Group A streptococci that include administering a recombinant fusion polypeptide according to the instant invention. In this respect, the claims are believed to be in condition for allowance.

If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to telephone the undersigned at (206) 622-4900.

Respectfully submitted,

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